

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PERIPHAGEN, INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	
KRYSTAL BIOTECH, INC., KRISH S. KRISHNAN,)	
and SUMA KRISHNAN,)	
)	
Defendants.)	Civil Action No. 2:20-cv-00646-MRH
<hr style="width: 40%; margin-left: 0;"/>)	
)	Chief Judge Mark R. Hornak
KRYSTAL BIOTECH, INC.)	
)	
Defendant and Third-Party Plaintiff,)	
)	
v.)	
)	
JAMES WECHUCK and DAVID KRISKY,)	
)	
Third-Party Defendants.)	

**DEFENDANT / THIRD-PARTY PLAINTIFF KRYSTAL BIOTECH, INC.’S
UNOPPOSED MOTION FOR LEAVE TO FILE CONFIDENTIAL INFORMATION
UNDER SEAL**

Pursuant to Local Rule 5.2, Defendant / Third-Party Plaintiff Krystal Biotech, Inc. (“Krystal”), through this Motion, respectfully requests leave of Court to file its Motion to Compel and supporting papers under seal.

On March 31, 2021 the Court Ordered that Defendants shall file any motion to compel regarding the sufficiency of PeriphaGen’s responses to Krystal’s Interrogatory No. 1, which contains PeriphaGen’s trade secret contentions, on or before April 30, 2021. Dkt. 92 at 7. Krystal intends to file this Motion to Compel along with supporting papers.

As grounds for this motion to seal, Krystal states that its Motion to Compel refers to “Confidential” information subject to protection under the Protective Order entered by this Court on January 4, 2021 (Dkt. 82). In the event that any party wishes to submit confidential information to the Court, the Protective Order requires the party to obtain leave of Court prior to filing any documents containing confidential information under seal. Dkt. 82, at ¶ 13.

Krystal has conferred with PeriphaGen regarding this Motion to Seal. PeriphaGen does not oppose Krystal’s request to file its Motion to Compel under seal.

Krystal will file a redacted version of such papers through the Court’s CM/ECF system.

WHEREFORE, consistent with the foregoing, Krystal respectfully requests that the Court grant the Motion For Leave to File Confidential Information Under Seal. A proposed Order is attached.

Dated: April 30, 2021

Respectfully submitted,
THE WEBB LAW FIRM

s/ John C. Thomas

John C. Thomas (PA ID No. 85532)
Thomas C. Wolski (PA ID No. 203072)
David A. DuMont (PA ID No. 205858)
One Gateway Center
420 Ft. Duquesne Blvd., Suite 1200
Pittsburgh, PA 15222
412.471.8815
412.471.4094 (fax)
jthomas@webblaw.com
twolski@webblaw.com
ddumont@webblaw.com

AND

Barbara A. Fiacco* (MA ID No. 633618)
Sarah S. Burg* (MA ID No. 683245)
Brendan T. Jones* (MA ID No. 688568)
Nathanial J. McPherson* (MA ID No. 697666)
Urszula Nowak* (MA ID No. 704712)
Elizabeth Hudson* (MA ID No. 698805)

FOLEY HOAG LLP

155 Seaport Boulevard

Boston, MA 02108

617.832.1000

617.832.7000 (fax)

bfiacco@foleyhoag.com

sburg@foleyhoag.com

bjones@foleyhoag.com

nmcpherson@foleyhoag.com

unowak@foleyhoag.com

ehudson@foleyhoag.com

*Attorneys for Defendants and Third-Party
Plaintiff*

**Admitted via Pro Hac Vice*

CERTIFICATE OF SERVICE

I, John C. Thomas, hereby certify that on April 30, 2021, a copy of **DEFENDANT AND THIRD-PARTY PLAINTIFF KRYSTAL BIOTECH, INC.S' MOTION FOR LEAVE TO FILE CONFIDENTIAL INFORMATION UNDER SEAL** was served on the following as indicated:

Via E-Mail

Robert L. Byer (PA ID No. 25447)
Rachel M. Good (PA ID No. 323697)
DUANE MORRIS LLP
600 Grant Street, Suite 5010
Pittsburgh, PA 15219-2802
412.497.1000
412.497.1001 (fax)
rlbyer@duanemorris.com
rmgood@duanemorris.com

Anthony J. Fitzpatrick (MA ID No. 564324)
Michael R. Gottfried (MA ID No. 542156)
DUANE MORRIS LLP
100 High Street, Suite 2400
Boston, MA 02110-1724
857.488.4200
857.488.4201 (fax)
ajfitzpatrick@duanemorris.com
mrgottfried@duanemorris.com

Via E-Mail

Patrick C. Gallagher (*Admitted PHV*)
DUANE MORRIS LLP
1875 Corporate Blvd NW
Boca Raton, FL 33486
561.962.2100
561.962.2101 (fax)
pcgallagher@duanemorris.com

*Attorneys for Plaintiff and Third-Party
Defendants*

s/ John C. Thomas